

ARIZONA STATE SENATE

RESEARCH STAFF



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TO: MEMBERS OF THE SENATE
TRANSPORTATION & TECHNOLOGY COMMITTEE

DATE: February 10, 2022

SUBJECT: Strike everything amendment to S.B. 1596, relating to off highway vehicle study committee

Purpose

Establishes the Off-Highway Vehicle Study Committee (Study Committee).

Background

An *off-highway vehicle (OHV)* is a motorized vehicle operated primarily off of highways on land, water, snow, ice or other natural terrain or on a combination of land, water, snow, ice or other natural terrain ([A.R.S. § 28-1171](#)). An OHV may only be operated if equipped with adequate brakes, lighted headlights and taillights, a noise dissipative device when not on a closed course, a spark arrestor device and a safety flag ([A.R.S. § 28-1179](#)).

A person may not operate certain all-terrain vehicles or OHVs in Arizona without an OHV user indicia issued by the Arizona Department of Transportation (ADOT). A person must apply to ADOT for a resident or nonresident OHV user indicia by submitting an application and user fee in an amount determined by the Director of ADOT. The resident or nonresident OHV user indicia is valid for one year from the date of issuance and may be renewed. The Arizona Game and Fish Department (AZGFD) must conduct or approve an OHV educational course and successful completion of the course requires passage of a written examination (A.R.S. §§ [28-1175](#) and [28-1177](#)).

The AZGFD must spend OHV Recreation Fund monies for outlined purposes, including OHV law enforcement ([A.R.S. § 28-1176](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Establishes the Study Committee, consisting of the following members:
 - a) two members of the Senate who are appointed by the President of the Senate and who are members of different political parties with one member being designated as Cochairperson;
 - b) two members of the House of Representatives (House) who are appointed by the Speaker of the House and who are members of different political parties with one member being designated as Cochairperson;
 - c) the Director of the AZGFD or the Director's designee;
 - d) the Director of ADOT or the Director's designee;
 - e) the Director of the Arizona State Parks Board or the Director's designee;
 - f) the Commissioner of the State Land Department or the Commissioner's designee;

- g) one law enforcement officer who enforces OHV laws and who is appointed by the Governor;
 - h) one representative of an organization representing hunting or fishing or a similar outdoor sports activity in Arizona who is appointed by the Governor;
 - i) two members who represent an OHV organization or recreational group in Arizona, one of whom is appointed by the President of the Senate, and one of whom is appointed by the Speaker of the House;
 - j) one representative of an OHV rental company in Arizona who is appointed by the President of the Senate;
 - k) one representative of an OHV manufacturer or retailer in Arizona who is appointed by the Speaker of the House;
 - l) one representative of the farming and agriculture industry in Arizona who is appointed by the Governor; and
 - m) two members of the public who are appointed by the President of the Senate and who are knowledgeable about outdoor recreation issues in Arizona and about trails used by off-highway vehicle operators, one of whom represents holders of federal grazing permits or other land use permits.
2. States that appointed members serve at the pleasure of the person who made the appointment.
 3. Specifies that the Study Committee members are not eligible to receive compensation, but members appointed by the Governor are eligible for reimbursement of expenses.
 4. Requires the Study Committee to:
 - a) meet to collect and study information from the public and stakeholders regarding OHV issues in Arizona; and
 - b) submit a report, by January 1 of each year, regarding the Study Committee's activities and recommendations for administrative and legislative action to the Governor, the President of the Senate and the Speaker of the House and provide a copy of this report to the Secretary of State.
 5. Repeals the Study Committee on June 1, 2024.
 6. Becomes effective on the general effective date.